



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 27.11

Subject: Preventing/Reporting/Apprehending Runaways at DCS Community Residential Facilities

Supersedes: DCS 27.11,
03/01/98; PCN # 17, 08/01/98

Local Policy: No
Local Procedures: Yes
Training Required: No

Approved by:

Effective date: 03/01/98

Revision date: 12/01/01

Application

To All Department of Children's Services Community Residential Facilities Employees

Authority: TCA 39-16-601; TCA 37-4-101; TCA 37-5-106

Policy

Community residential facilities employees shall strive to discourage and prevent runaways and must implement special security precautions for youth with a history of runaway behaviors. When it has been determined that a youth has runaway, the appropriate facility employees and central office employees shall be notified immediately.

Procedures

A. Preventing runaways

1. The individual program plan (IPP) must address the issue of youth with a history of runaway behaviors.
2. When a youth is determined by the appropriate program employees to be a security risk, the employees shall be responsible for implementing extra security precautions appropriate to the individual, the program and community. This may include close monitoring of youth's behavior, restricting movement within the program, and/or other appropriate measures as identified in the Treatment and Supervision Protocols. (A youth cannot be placed in detention without a runaway petition being filed and a court ordering such thereafter in a detention hearing.)

B. Runaway determination

1. Before reporting a youth as a runaway, employees must investigate the situation and determine the facts. Employees should question other youth, check the school, consult with other employees and check the facility property.
2. The youth may be “out of assigned area” with every intention of returning at the appropriate time. Waiting for a short period of time may be advisable if the situation indicates an eventual and reasonably immediate return of the youth, (this should only be allowed if it is a reasonable amount of time in the discretion of the program supervisor). The actual time to wait may vary with specific situations.
3. In all situations the youth and community safety is the primary consideration.

C. Reporting runaways

1. The employee on duty must immediately notify the program supervisor or designee of the suspected runaway when a youth’s absence is unaccountable.
2. The employees on duty shall contact the youth’s family to notify them of the suspected runaway circumstances. This may resolve the problem or provide additional information that will determine the next step.
3. The DCS community residential facilities supervisor/designee shall take a copy of the youth’s commitment order to local jurisdictional law enforcement for filing a *Missing/Wanted Child Report for TBI* (form BI-0083) and for entering into the TBI MCOT database and NCIC database with the additional information needed. If the youth is delinquent, a “**Wanted Person**” report shall be filed and the law enforcement agency will require the copy of the commitment order. If the youth is a status offender the NCIC report shall be filed as a “**Missing Person.**”
4. A petition or warrant for the charge of escape must be filed in the county where the community residential facility is located. If the county refuses to allow a petition to be filed the refusal must be documented in the youth’s master file.
5. The administrative officer of the day (AOD) must be notified of confirmed runaways. The employee on duty shall complete form CS-0311 *Incident Report* to document the escape and search.
6. The DCS community residential facilities case manager/designee must contact the youth’s home county case manager by the next working day to inform them of the

youth's status. It is the responsibility of the home county case manager to file a major violation report if the youth is delinquent with the committing court requesting that an attachment be issued. The DCS community residential facilities case manager in consultation with the home county case manager shall determine if the youth's home county law enforcement agency should be notified of the youth's runaway status. If the decision is made to notify the home county law enforcement, it shall be the responsibility of the DCS community residential facilities case manager/designee.

7. The employee who completes the *TBI Missing Child Report* (form BI-0083) should be listed as the complainant and contact person on the report, and is responsible for notifying law enforcement to remove the youth's name upon apprehension.

D. Apprehending runaways

1. A youth cannot be placed in detention without a runaway petition being filed and a court ordering such thereafter in a detention hearing.
2. The local police, program employees or the youth's family may return a youth to the program. It shall be the program supervisor's responsibility to coordinate transportation for the return of a youth.

E. Employees access to information

This policy in conjunction with the facility contingency plan regarding escapees, must be made readily accessible in a secure location along with all necessary phone numbers for all program employees.

F. Apprehension of youth

1. Upon apprehension of the youth(s), the program supervisor must provide written notification to the director of community residential facilities using form CS-0296, *Notice of Apprehension* and a copy sent to the commissioner's office.
2. The program supervisor or designee must ensure that the youth's family and the home county case manager are properly notified of the youth's apprehension. The local law enforcement agency must be contacted and informed to remove the youth from NCIC. This must be documented in the youth's case notes.
3. If the youth is apprehended out-of-state, the procedure prescribed in the *Interstate Compact on Juveniles Manual of Instructions* must be followed.

Forms

CS-0296	Notice of Apprehension
CS-0311	Incident Report
BI-0083	TBI Missing Child Report

Collateral Documents

Interstate Compact on Juveniles Manual of Instructions
Treatment and Supervision Protocols

Standards

3-JCRF-3A-08

Glossary

<i>Term</i>	<i>Definition</i>
<i>National Crime Information Center (NCIC):</i>	A nationwide information system dedicated to serving and supporting criminal justice agencies -- local, state, and federal -- in their mission to uphold the law and protect the public. NCIC 2000's additional capabilities include, but not limited to, enhanced name searches, fingerprinting searches, probation/parolee information, information linking, mugshots and convicted sex offender registry.